

REMARKS/ARGUMENTS

Status of the Claims

Upon entry of the present amendment, claims 29-41 are pending. New claims 36-41 contain the language of canceled claims 4, 5, 8, 12, 27 and 28 but depend from independent claim 34 or claim 35. Claims 1-28 are canceled without disclaimer or prejudice to renewal.

Applicants thank the Examiner for stating on page 5 of the present Official Action that claims 29-33 are allowed.

Double Patenting Rejection over 6,506,365

The Examiner has rejected claims 1, 3-6, 8, 12, 24, 34 and 35 under the judicially created doctrine of double patenting. Applicants do not agree with the Examiner. However, in the interest of furthering prosecution, Applicants submit with the present response two Terminal Disclaimers.

Rejection under 35 U.S.C. § 102(b) over Greenberg

The Examiner has rejected claims 1, 4-6, 8, 12, 25 and 26 under 35 U.S.C. § 102(b) as allegedly anticipated by Greenberg, *et al.*, *Anal. Biochem.* 266:153. Applicants do not agree with the Examiner. However, in the interest of furthering prosecution, Applicants have canceled claims 1-28, and added new claims 36-41, which depend from claim 34 or claim 35. Greenberg, *et al.*, do not disclose or suggest a fibrin/fibrinogen conjugate wherein the substance capturing moiety is an antibody or part thereof, and claims 34 and 35 were not included in this rejection.

In view of the foregoing, the Examiner is respectfully requested to withdraw this rejection.

Appl. No. 10/749,832
Amdt. dated January 17, 2006
Reply to Office Action of October 31, 2005

PATENT

Rejection under 35 U.S.C. § 102 (a)(e)(b) over U.S. Patent No. 6,110,721 ("Gibbs")

The Examiner has rejected claims 1, 3-6, 8, 12, 24, 34 and 35 under 35 U.S.C. § 102 (a)(e)(b) as allegedly anticipated by Gibbs. Applicants do not agree with the Examiner. However, in the interest of furthering prosecution, Applicants have amended claims 34 and 35 to delete thrombin as fibrin/fibrinogen-binding moiety, canceled claims 1-28, and added new claims 36-41, which depend from claim 34 or claim 35.

In view of the foregoing, the Examiner is respectfully requested to withdraw this rejection.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-415-576-0200.

Respectfully submitted,



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Attachments
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